

Notice of Allowability

Application No.

10/706,263

Applicant(s)

LAUDO, JOHN S.

Examiner

Jennifer Doan

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on June 23, 06.
2. ☒ The allowed claim(s) is/are 2-47 and 51-69.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/15/2009
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Jennifer Doan

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Response to Amendment

1. Applicant's amendment filed on June 23, 2006 has been fully considered and entered.

Reasons for Allowance

2. Claims 2-47 and 51-69 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or reasonably suggest all the limitations recited in claims 51, 56 and 63. Specifically, the prior art of record fails to disclose an integrated optical device comprising an erbium or ytterbium-doped glass slab waveguide body configured to permit propagation of an optical signal having multiple spectral components, wherein the waveguide body is doped sufficiently for amplification of the multi-component optical signal and a spectral combiner / divider at a curved periphery of the waveguide body; and an optical network comprising at least one transmitter configured to transmit an optical signal having multiple spectral components; at least one regenerator configured to amplify the multi-component optical signal; and at least one receiver configured to receive the multi-component optical signal, wherein at least one of the transmitter, regenerator, and receiver comprises at least one integrated optical device in combination with the other limitations of claims 51, 56 and 63.

Claims 52-55 depend from claim 51.

Claims 57-62 depend from claim 56.

The prior art of record also fails to disclose or reasonably suggest all the limitations recited in claims 67-69. Specifically, the prior art of record fails to disclose an integrated optical device comprising a waveguide body configured to permit propagation of the optical signal, wherein at least a substantial portion of the waveguide body comprises an optical amplification medium; and a displacement of each of the displaced input/output channels from the primary input /output channel is defined at least in part by the spectral combiner /divider in combination with the other limitations of claims 67-69.

Claims 2-47 and 64-66 depend from claim 67.

The examiner agrees with applicant's arguments on pages 2-3 in the remarks and fully concurs that Chen et al. reference does not disclose or suggest an integrated optical device with all limitations as defined above.

Claims 2-47 and 51-69 are therefore allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Doan whose telephone number is (571) 272-2346. The examiner can normally be reached on Monday to Thursday from 6:00am to 3:30pm, second Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jennifer Doan

JD

August 31, 2006